

REMARKS

Claims 1-7 are pending in this application. By this Amendment, the title is amended. Reconsideration of the present application based on the above amendments and the following remarks is respectfully requested.

The Office Action objects to the title as being non-descriptive. The title has been amended to recite a projector with projection lens having a zoom function. It is respectfully submitted that the title is directed to the features of the claims. Withdrawal of the objection to the specification is respectfully requested.

The Office Action rejects claims 1-7 under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,704,008 to Naito in view of U.S. Patent No. 6,431,711 to Pinhanez. This rejection is respectfully traversed.

Naito does not constitute prior art under §103(c). Specifically, Naito may only constitute prior art under §102(e); however, because both Naito and the subject matter of the present application's claims were, at the time the present application was filed, subject to an obligation of assignment to Seiko Epson Corporation, Naito is disqualified as prior art under §103(c).

Moreover, Pinhanez does not constitute prior art. Specifically, the priority date of the present application, September 20, 2000, predates the filing date of Pinhanez, February 8, 2001, and Pinhanez's provisional application filing date of December 6, 2000. Similarly, the priority date of the present application predates the filing date of Naito, January 24, 2001. As such, Pinhanez and Naito are not prior art at least because their filing dates are later than the priority date of the present application. A verified translation of the priority application No. 2000-285933 was filed on February 25, 2002, to perfect the claim for priority.

Thus, for at least the reasons discussed above, it is respectfully submitted that the rejection is moot. Accordingly, withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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